

**City of Cave Springs
City Council Meeting – American Legion Building
August 9, 2016**

Call to Order

Mayor Lee officially called the meeting to order at 6:33 pm. The meeting was opened with the Pledge of Allegiance and prayer.

Roll Call

Mayor Travis Lee	Present
Mary Ann Winters	Present
Larry Fletcher	Present
Brett Moore	Absent
Marc Williams	Present
Jay Finch	Present
Joan White	Present

Others Present

Kimberly Hutcheson, City Recorder / Treasurer
Craig Southern, City Planning / Zoning Official
Justin Eichmann, City Attorney
Charlie Holyfield, City Manager
Tom Gheen - Accountant

APPROVAL OF THE CITY COUNCIL AGENDA

Alderman Williams made a motion to approve the August 9, 2016 agenda, Alderman Finch seconded the motion. All approved. Passed 5-0.

Mary Ann Winters	YES
Jay Finch	YES
Joan White	YES
Larry Fletcher	YES
Marc Williams	YES

APPROVAL OF CITY COUNCIL MINUTES

Alderman Williams made a motion to approve the minutes from July 12, 2016. Alderwoman White seconded the motion. Passed 5-0.

Mary Ann Winters	YES
Jay Finch	YES
Joan White	YES
Larry Fletcher	YES
Marc Williams	YES

CITY FINANCIALS

Tom Gheen reported on our city, water, and sewer financials. Water / Sewer for July ending cash was up \$57,000. We are still waiting for the \$243,000 to come back as this effects our bottom line and we will be in the positive again. City cash is flat down \$1,300.

Alderman Finch made a motion to approve all three city financials. Alderman Williams seconded the motion. Passed 5-0.

Department Reports:

Fire Report: No one was present.

Police Report: No one was present.

Water & Sewer Committee: Alderman Finch reported on our water/sewer statistics:

We have 1,343 water customers, 517 sewer customers, 10.5 Million gallons of water sold, 1 million gallons of water used by the city, most of which was used by the fire dept.

Planning Commission:

Planning and Zoning Official Craig Southern has recommended Don Elliott to be officially voted in as an alternate for the Planning Commission Committee. Alderman Finch made a motion to vote him in as an alternate. Alderman Williams seconded the motion. Passed 5-0.

Mayors Report:

Mayor Lee reported our Census preliminary numbers were 3,702. Trash and water will now be together on billing. We will start working on the Community Building on 8/15/16. Alderman Fletcher made a motion to appeal Property De annex – 24 from Cave Springs to Bentonville. Passed 5-0.

Mary Ann Winters	YES
Larry Fletcher	YES
Marc Williams	YES
Jay Finch	YES
Joan White	YES

Act 779 St Vallery Downs – 20 days July 26, 2016.

Changed work session dates from August 23rd to August 30th 6:30 PM Passed 5-0.

Mary Ann Winters	YES
Larry Fletcher	YES
Marc Williams	YES
Jay Finch	YES
Joan White	YES

Public Comments

Renee Anderson - off Wagon wheel road wanted to say thank you for your service. Owns a business and uses a dumpster so does not want to pay for trash due to they don't use it.

Marlean Sands – Shores road. Mothers house is in Soaring Hawk no one has lived there for over 1.5 years does not want to pay for trash and the trash truck does not come down that road.

Larry Willard – Ozark Acres Drive – same issue that Renee has and does not want to pay for trash.

Don Crouch – HWY 112 Behind highway dept. there is a retention drop behind his place and every time it rains it floods his field would like for someone to fix this issue.

Old Business:

No old business.

New Business:

1.) AN ORDINANCE AMENDING THE PLANNING AND ZONING REGULATIONS FOR THE CITY OF CAVE SPRINGS, BENTON COUNTY, ARKANSAS, BY AMENDING, ADDING TO, REPLACING, AND/OR RENUMBERING THE SAME, TO THE EXTENT NECESSARY FOR THE PURPOSES OF THIS AMENDMENT, SPECIFICALLY TO AMEND ARTICLE 1 – PREAMBLE, ARTICLE 3 – DEFINITIONS OF TERMS AND USES, ARTICLE 5 – ESTABLISHMENT OF ZONING DISTRICTS AND BOUNDARIES, ARTICLE 6 – DISTRICT REGULATIONS, AND APPENDIX B – SCHEDULE OF USES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERE WITHIN; AND DECLARING AN EMERGENCY. ORDINANCE 2016-16.

Mary Ann Winters	YES
Larry Fletcher	YES
Marc Williams	YES
Jay Finch	YES
Joan White	YES

Alderman Fletcher made a motion emergency clause be adopted. Alderman Finch seconded the motion. Passed 5-0.

2.) AN ORDINANCE FOR REZONING; A REZONING OF A TRACT CONTAINING 0.55 ACRES ZONED C-1 DOWNTOWN COMMERCIAL AND OFFICE DISTRICT, REZONED TO A C-2 GENERAL AND HIGHWAY COMMERCIAL DISTRICT. ORDINANCE 2016-17.

Mary Ann Winters	YES
Larry Fletcher	YES
Marc Williams	YES
Jay Finch	YES
Joan White	YES

Alderman Fletcher made a motion to pass. Alderman Williams seconded the motion. All approved. Passed 5-0.

3.) AN ORDINANCE FOR REZONING; A REZONING OF AN ORIGINAL TRACT CONTAINING 0.25 ACRES ZONED A-1 GENERAL AGRICULTURAL DISTRICT, REZONED TO AN R-3 SINGLE FAMILY RESIDENTIAL DISTRICT. ORDINANCE 2016-18.

Mary Ann Winters	YES
Larry Fletcher	YES
Marc Williams	YES
Jay Finch	YES
Joan White	YES

Alderman Fletcher made a motion to approve. Alderman Finch seconded the motion. All approved. Passed 5-0.

4.) AN ORDINANCE FOR REZONING; A LOT-SPLIT AND REZONING OF AN ORIGINAL TRACT CONTAINING 5.68 ACRES ZONED A-1 GENERAL AGRICULTURAL DISTRICT. THE LOT-SPLIT CONSISTED OF TWO (2) NEWLY CREATED TRACTS, WITH TRACT 1 CONTAINING 4.98 ACRES REZONED TO AN A-2 SUBURBAN AGRICULTURAL DISTRICT AND TRACT 2 CONTAINING 0.55 ACRES REZONED TO A C-2 GENERAL AND HIGHWAY COMMERCIAL ZONING DISTRICT. ORDINANCE 2016-19.

Mary Ann Winters	YES
Larry Fletcher	YES
Marc Williams	YES
Jay Finch	YES
Joan White	YES

Alderman Fletcher made a motion to approve. Alderman Finch seconded the motion. All approved. Passed 5-0.

5.) AN ORDINANCE FOR REZONING; A REZONING OF AN ORIGINAL TRACT CONTAINING 3.85 ACRES ZONED A-1 GENERAL AGRICULTURAL DISTRICT, REZONED TO AN A-2 SUBURBAN AGRICULTURAL DISTRICT. ORDINANCE 2016-20

Mary Ann Winters	YES
Larry Fletcher	YES
Marc Williams	YES
Jay Finch	YES
Joan White	YES

Alderman Finch made a motion to approve. Alderwoman White seconded the motion. Passed 5-0.

6.) AN ORDINANCE AMENDING CHAPTER 4.20 BUSINESS LICENSE IN ITS ENTIRETY OF THE CAVE SPRINGS MUNICIPAL CODE TO ESTABLISH RULES AND PROCEDURES FOR ESTABLISHING A BUSINESS WITHIN THE CITY OF CAVE SPRINGS, ARKANSAS AND DECLARING AN EMERGENCY. ORDINANCE 2016-21 .

Mary Ann Winters	YES
Larry Fletcher	YES
Marc Williams	YES
Jay Finch	YES
Joan White	YES

Alderman Fletcher made a motion to approve to pay city cost. Alderman Finch seconded the motion. Passed 5-0.

7.) AN ORDINANCE PROVIDING MINIMUM ENERGY STANDARDS FOR THE DESIGN OF NEW BUILDING AND STRUCTURES OR PORTIONS AND ADDITIONS TO EXISTING BUILDING THAT PROVIDE FACILITIES OR SHELTER FOR PUBLIC ASSEMBLY, EDUCATION, BUSINESS, MERCANTILE, INSTITUTIONAL, STORAGE, AND RESIDENTIAL, OCCUPANCIES, AS WELL AS THOSE PORTIONS OF FACTORY AND INDUSTRIAL OCCUPANCIES DESIGNED PRIMARILY FOR HUMAN OCCUPANCY BY REGULATING THEIR EXTERIOR ENVELOPES AND THE SELECTION OF THEIR HVAC, SERVICE WATER HEATING, ELECTRICAL DISTRIBUTION AND ILLUMINATING SYSTEMS AND EQUIPMENT FOR EFFECTIVE USE OF ENERGY AND DECLARING AN EMERGENCY. ORDINANCE 2016-22.

Mary Ann Winters	YES
Larry Fletcher	YES
Marc Williams	YES
Jay Finch	YES
Joan White	YES

Alderman Finch a motion to approve. Alderman Williams seconded the motion. Passed 5-0.

8.) AN ORDINANCE ADOPTING AND ENACTING AN AMENDED MUNICIPAL CODE OF ORDINANCES OF THE CITY OF CAVE SPRINGS, ARKANSAS. ORDINANCE 2016-23.

Mary Ann Winters	YES
Larry Fletcher	YES
Marc Williams	YES
Jay Finch	YES
Joan White	YES

Alderman Finch a motion to approve. Alderman Williams seconded the motion. Passed 5-0

9.) AN ORDINANCE AMENDING CHAPTER 10.20 WATER RATES OF TITLE 10 UTILITIES OF THE CAVE SPRINGS MUNICIPAL CODE SETTING FORTH THE POWERS AND DUTIES THEREOF, AND DELCARING AN EMERGENCY. ORDINANCE 2016-24.

Mary Ann Winters	YES
Larry Fletcher	YES
Marc Williams	YES
Jay Finch	YES
Joan White	YES

Alderman Finch a motion to approve. Alderman Williams seconded the motion. Passed 5-0

10.) INFORMATION ITEM ONLY: TITLE 6 ANIMALS AND LIVESTOCK.

11.) A RESOLUTION TO AMEND RESOLUTION NO. 2016-02 THAT AMENDED AND PROVIDED FOR, APPROVED AND ADOPTED A BUDGET FOR THE CITY OF CAVE SPRINGS, ARKANSAS, FOR THE TWELVE (12) MONTHS BEGINNING JANUARY 1ST, 2016 AND ENDING DECEMBER 31ST, 2016. RESOLUTION 2016-18.

Mary Ann Winters	YES
Larry Fletcher	YES
Marc Williams	YES
Jay Finch	YES
Joan White	YES

Alderman Finch a motion to approve. Alderman Williams seconded the motion. Passed 5-0.

Alderman Finch made motion to adjourn at 8:00 PM. Alderman Williams seconded the motion. All approved 5-0.

Mayor Travis Lee

Kimberly Hutcheson, City Recorder